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WC 04-310

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July 28, 2004

RECEIVED

VIA COURIER

JUL 28 2004

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
c/o Vistronix, Inc.  
236 Massachusetts Avenue, N.E.  
Suite 110  
Washington, DC 20002

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Section 63.71 Application of ICG Telecom Group, Inc. and ICG Telecom  
Group of Virginia, Inc. for Authority to Discontinue Service in Certain  
States

Dear Ms. Dortch:

On behalf of ICG Telecom Group, Inc. and ICG Telecom Group of Virginia, Inc.  
(together, "ICG"), enclosed are an original and six (6) copies of its application for authority to  
discontinue service in certain states.

Please date-stamp the enclosed extra copy of this filing and return it in the envelope  
provided. Should you have any questions with respect to this matter, please do not hesitate to  
Brett Ferenczak at (202) 424-7697.

Respectfully submitted,

*Brett P Ferenczak*

Tamar E. Finn  
Brett P. Ferenczak

Counsel for ICG

Enclosure

cc: Scott E. Beer (ICG)

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.**

In the Matter of	)	
	)	
Section 63.71 Application of	)	
	)	
ICG Telecom Group, Inc. and	)	WC Docket No. 04-_____
ICG Telecom Group of Virginia, Inc.	)	
	)	
For Authority to Discontinue	)	
Service in Certain States	)	

**SECTION 63.71 APPLICATION**

ICG Telecom Group, Inc. and its subsidiary, ICG Telecom Group of Virginia, Inc. (together, "ICG"), through their undersigned counsel, hereby file this Application to discontinue services pursuant to Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, and Section 214 of the Communications Act of 1934, as amended, in selected areas defined herein. Specifically, ICG is seeking to discontinue the provision of certain telecommunications services including local exchange, domestic and international long distance, primary rate interface (PRI), dedicated Internet access (DIA), special access/private line service that is provided over ICG's own facilities,<sup>1</sup> and high-speed data transmission services to customers in the District of Columbia, Illinois, Maryland, Massachusetts, New Jersey, New York, Utah, Virginia, and Washington on August 31, 2004.<sup>2</sup> In support of this Application, ICG submits the following information:

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<sup>1</sup> ICG will continue to provide Signaling System 7 ("SS7") and resold special access/private line services.

<sup>2</sup> While ICG does not have presubscribed international long distance customers, ICG will notify the International Bureau in accordance with section 63.19 of the Commission's rules.

**I. Description of Discontinuance**

**1. Name and address of carrier**

ICG Telecom Group, Inc.  
161 Inverness Drive West  
Englewood, CO 80112

**2. Date of planned service discontinuance**

The anticipated date for the discontinuance of service in the markets described below in paragraph 3 is August 31, 2004, or as soon thereafter as the necessary state and federal regulatory authorizations have been obtained.

**3. Points of geographic areas of service affected**

By this Application, ICG seeks authority to discontinue certain telecommunications services offered to customers in the District of Columbia, Illinois, Maryland, Massachusetts, New Jersey, New York, Utah, Virginia, and Washington. This discontinuance affects approximately 63 customers receiving service at 67 locations. ICG, however, does not have any affected customers in the District of Columbia or Maryland. ICG's customers in other states remain unaffected by this Application.

**4. Brief description of the type of service affected**

ICG proposes to discontinue the provision of certain voice and data services including local exchange, domestic and international long distance, primary rate interface (PRI), dedicated Internet access (DIA), special access/private line service that is provided over ICG's own facilities, and high-speed data transmission services to customers in the states listed in paragraph 3, above. This discontinuance will not affect Signaling System 7 (SS7) or resold special access/private line services provided in any state.

**5. Brief description of the dates and methods of notice to all affected customers**

Written notice to all but 24 affected customers in the form of the sample letters attached as Exhibit A and B and were mailed to affected customers on June 25, 2004 ("June 25<sup>th</sup> Notices"). A sample of the June 25<sup>th</sup> Notices sent to customers in Massachusetts is provided in Exhibit A. A sample of the June 25<sup>th</sup> Notices sent to customers in New Jersey, New York, Utah, Virginia, and Washington is provided in Exhibit B.

Corrected notice letters, which reflect that contrary to the initial notice letter the discontinuance will not affect Signaling System 7 (SS7) or resold special access/private line service, were mailed to these same customers on July 22, 2004 ("July 22<sup>nd</sup> Corrected Notices"). The sample of the July 22<sup>nd</sup> Corrected Notices provided in Exhibit C was sent to customers in Massachusetts. The sample of the July 22<sup>nd</sup> Corrected Notices provided in Exhibit D was sent to customers in New Jersey, New York, Utah, Virginia, and Washington.

After the June 25<sup>th</sup> Notices were mailed, ICG made the decision to proceed with discontinuance of services to its 24 customers in Illinois. ICG mailed written notice to these customers on July 27, 2004 ("Illinois Notices"). The sample of the Illinois Notices sent to customers is provided in Exhibit E.

The customer notice letters were prepared in accordance with the requirements of Section 63.71(a) of the Commission's Rules.

**6. Non-dominance of the carrier with respect to the service to be discontinued**

ICG is non-dominant with respect to the services that it proposes to discontinue.

**7. Service**

In accordance with Section 63.71(a) of the Commission's rules, ICG has mailed a copy of this Application to the Governor and the public utility commission of each of the states listed

above in paragraph 3, and to the Special Assistant for Telecommunications for the Secretary of Defense.

**8. Additional questions regarding this application may be addressed to:**

Tamar E. Finn  
Kathleen Greenan Ramsey  
Brett P. Ferencsak  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, Suite 300  
Washington, D.C. 20007  
Tel: (202) 424-7500  
Fax: (202) 424-7645  
Email: TEFinn@swidlaw.com  
KGRamsey@swidlaw.com  
BPFFerencsak@swidlaw.com

For purposes of this application, ICG may be contacted at:

Scott E. Beer  
Senior Corporate Counsel, Legal  
ICG Communications  
161 Inverness Drive West, 6th Floor  
Englewood, CO 80112  
Tel: (303) 414-5906  
Fax: (303) 414-8869  
Email: scott\_beer@icgcomm.com

**II. Circumstances of Discontinuance**

As part of ICG's plan to refocus its business in order to maintain long term profitability,<sup>3</sup> ICG has determined to discontinue the provision of certain voice and data services in a number of states. Customers have been sent a letter regarding the discontinuance and ICG will follow-up with customers by telephone to make sure they are seeking replacement service(s) from a new service provider.

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<sup>3</sup> In addition to this Application, ICG separately has entered into transactions whereby, among other things, control of ICG and its corporate parent would be transferred. ICG is in the process of seeking approval from the Commission for those transactions, to the extent necessary, and has addressed those transactions by separate filing made on July 21, 2004. For the avoidance of doubt, however, the discontinuance that is the subject of this Application was conceived prior to, and is unrelated to, those other transactions. As a result, ICG respectfully submits that the service discontinuance described in this Application should be considered by the Commission independently of the Commission's review of those other transactions.

### III. Conclusion

ICG believes that the proposed discontinuance is reasonable and necessary. ICG will take all reasonable steps, to the extent it is able, to assure that the discontinuance of service is not unduly disruptive to the present or future public convenience and necessity. For the foregoing reasons, ICG respectfully requests, pursuant to Section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a) and Section 63.71 of the Commission's Rules, that the Commission permit it to discontinue the provision of services to certain customers pursuant to Section 63.71 on August 31, 2004.

Respectfully submitted,



Tamar E. Finn  
Kathleen Greenan Ramsey  
Brett P. Ferenczak  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, Suite 300  
Washington, D.C. 20007  
Tel: (202) 424-7500  
Fax: (202) 424-7645  
Email: TEFinn@swidlaw.com  
KGRamsey@swidlaw.com  
BPFerenczak@swidlaw.com

Counsel for ICG Telecom Group, Inc. and  
ICG Telecom Group of Virginia, Inc.

Dated: July 28, 2004

**CERTIFICATION OF APPLICANT**

On behalf of ICG Telecom Group, Inc., I hereby certify that the statements in the foregoing Application for Section 63.71 authority are true, complete, and correct to the best of my knowledge and are made in good faith.

ICG Telecom Group, Inc.

By:

Name:

Title:

Date:

Scott Beer

Corporate Counsel

June 22, 2004

**EXHIBIT A**

**Sample Discontinuance Notice Letter**

**(June 25<sup>th</sup> Notices)**

**(Massachusetts Customers)**



ICG Telecom Group, Inc.  
161 Inverness Drive West  
Englewood, CO 80112

**NOTICE OF COMMUNICATION SERVICES DISCONTINUANCE**  
**DO NOT DISREGARD THIS NOTICE**  
**YOU MUST CHOOSE A NEW TELECOMMUNICATIONS SERVICE**  
**PROVIDER BY AUGUST 11, 2004**

June 25, 2004

«CUSTOMER\_NAME»  
Attn: «Contact\_Name»  
«ADDRESS»  
«CITY», «STATE» «ZIP»

RE: Telecommunications Services provided by ICG Telecom Group, Inc.

Dear ICG Customer:

We regret to inform you that ICG Telecom Group, Inc. ("ICG") can no longer provide your telecommunications services at locations in Massachusetts. Telecommunications services in Maryland, New Jersey, New York, Utah, Virginia, District of Columbia (D.C.) and Washington will also be affected; however, a separate notice will be sent to you regarding your service, if any, in those states. This notice does not affect telecommunications services that you may receive in other states, other than Massachusetts. We are also informing the Federal Communications Commission of this development. Accordingly, ICG must **discontinue all** voice and data services, including, but not limited to, local exchange, domestic and international long distance, VoicePipe™, iConverge™, Primary Rate Interface (PRI), Dedicated Internet Access (DIA), Signaling System 7 (SS7), collocation, special access/private line, and/or high-speed data transmission services that you receive in the service location(s) listed above. Subject to regulatory approval, the anticipated date for the discontinuance of your service is August 31, 2004.

**YOUR ACTION IS REQUIRED! YOU MUST SELECT A NEW TELECOMMUNICATIONS SERVICE PROVIDER AS QUICKLY AS POSSIBLE BUT NO LATER THAN AUGUST 11, 2004 OR YOU MAY LOSE TELECOMMUNICATIONS SERVICES, INCLUDING LOCAL SERVICE.**

**You must elect a new service provider as soon as possible to avoid any interruption of service.** Please do not delay in arranging for a new service provider, as some providers may require several weeks to install or connect new services. To help avoid service disruption, please check carefully that **all** voice and data service types you currently have with ICG (including, but not limited to, local exchange, domestic and international long distance, VoicePipe™, iConverge™, Primary Rate Interface (PRI), Dedicated Internet Access (DIA), Signaling System 7 (SS7), collocation, special access/private line, and/or high-speed data transmission services) are moved to your new service provider. Once you have chosen and contacted your new provider, ICG will work with the provider you have selected to assist in the transition of your service, including, as necessary, providing your network information. Generally, you can find a list of most local telephone service providers in your local telephone directory. Other types of service providers may also be in your local telephone directory. After selecting a new local telephone service provider, you should also contact your current long distance service provider, if that provider is not ICG, to ensure that your current long distance calling plan is not changed as a result of your change in your local service.

Please be aware that you are responsible for paying all bills rendered for services provided by ICG up to and including those provided during the transition. You may be subject to suspension or termination of your phone service in accordance with your state Commission's rules if you fail to pay your telephone bills. Any deposits or credits associated with your account will be applied to your final bill, with any remaining balance returned to you.

The Federal Communications Commission ("FCC") permits customers to object to discontinuance of their service by a telecommunications provider. As provided in the FCC's rule 47 CFR 63.71:

*The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, D.C. 20554, referencing the Section 63.71 Application of ICG Telecom Group, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.*

ICG appreciates the opportunity we have had to serve you. We are committed to making your service transition as smooth as possible. If you have any further questions regarding the discontinuance of our services, please contact us at (303) 414-5150.

Sincerely yours,

Scott Mull  
Director  
Customer Service

**EXHIBIT B**

**Sample Discontinuance Notice Letter**

**(June 25<sup>th</sup> Notices)**

**(New Jersey, New York, Utah Virginia, and Washington Customers)**

ICG Telecom Group, Inc.  
161 Inverness Drive West  
Englewood, CO 80112

**NOTICE OF COMMUNICATION SERVICES DISCONTINUANCE**  
**DO NOT DISREGARD THIS NOTICE**  
**YOU MUST CHOOSE A NEW TELECOMMUNICATIONS SERVICE**  
**PROVIDER BY AUGUST 1, 2004**

June 25, 2004

«CUSTOMER\_NAME»  
Attn: «Contact\_Name»  
«ADDRESS»  
«CITY», «STATE» «ZIP»

RE: Telecommunications Services provided by ICG Telecom Group, Inc.

Dear ICG Customer:

We regret to inform you that ICG Telecom Group, Inc. ("ICG") can no longer provide your telecommunications services in Maryland, New Jersey, New York, Utah, Virginia, MA, District of Columbia (D.C.) and Washington. This notice does not affect other services you receive from ICG in other states. We are also informing the Federal Communications Commission of this development. Accordingly, ICG must discontinue all voice and data services, including, but not limited to, local exchange, domestic and international long distance, VoicePipe™, iConverge™, Primary Rate Interface (PRI), Dedicated Internet Access (DIA), Signaling System 7 (SS7), collocation, special access/private line, and/or high-speed data transmission services that you receive in the service location(s) listed above. Subject to regulatory approval, the anticipated date for the discontinuance of your service is August 31, 2004.

**YOUR ACTION IS REQUIRED! YOU MUST SELECT A NEW TELECOMMUNICATIONS SERVICE PROVIDER AS QUICKLY AS POSSIBLE BUT NO LATER THAN AUGUST 1, 2004, OR YOU MAY LOSE TELECOMMUNICATIONS SERVICES, INCLUDING LOCAL SERVICE.**

You must elect a new service provider as soon as possible to avoid any interruption of service. Please do not delay in arranging for a new service provider, as some providers may require several weeks to install or connect new services. To help avoid service disruption, please check carefully that all voice and data service types you currently have with ICG (including, but not limited to, local exchange, domestic and international long distance, VoicePipe™, iConverge™, Primary Rate Interface (PRI), Dedicated Internet Access (DIA), Signaling System 7 (SS7), collocation, special access/private line, and/or high-speed data transmission services) are moved to your new service provider. Once you have chosen and contacted your new provider, ICG will work with the provider you have selected to assist in the transition of your service, including, as necessary, providing your network information. Generally, you can find a list of most local telephone service providers in your local telephone directory. Other types of service providers may also be in your local telephone directory. After selecting a new local telephone service provider, you should also contact your current long distance service provider, if that provider is not ICG, to ensure that your current long distance calling plan is not changed as a result of your change in your local service.

Please be aware that you are responsible for paying all bills rendered for services provided to you by ICG up to and including those provided during the transition. You may be subject to suspension or termination of your phone service in accordance with your state Commission's rules if you fail to pay your telephone bills. Any deposits or credits associated with your account will be applied to your final bill, with any remaining balance returned to you.

The Federal Communications Commission ("FCC") permits customers to object to discontinuance of their service by a telecommunications provider. As provided in the FCC's rule 47 CFR 63.71:

*The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, D.C. 20554, referencing the Section 63.71 Application of ICG Telecom Group, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.*

ICG appreciates the opportunity we have had to serve you. We are committed to making your service transition as smooth as possible. If you have any further questions regarding the discontinuance of our services, please contact us at (303) 414-5150.

Sincerely yours,

Scott Mull  
Director  
Customer Service

**EXHIBIT C**

**Sample *Corrected* Discontinuance Notice Letter**

**(July 22<sup>nd</sup> Corrected Notices)**

**(Massachusetts Customers)**

ICG Telecom Group, Inc.  
161 Inverness Drive West  
Englewood, CO 80112

**CORRECTED NOTICE OF COMMUNICATION SERVICES DISCONTINUANCE**  
**DO NOT DISREGARD THIS NOTICE**  
**YOU MUST CHOOSE A NEW TELECOMMUNICATIONS SERVICE**  
**PROVIDER BY AUGUST 11, 2004**

June 25, 2004 (Corrected July 22, 2004)

«CUSTOMER\_NAME»  
Attn: «Contact\_Name»  
«ADDRESS»  
«CITY», «STATE» «ZIP»

RE: Telecommunications Services provided by ICG Telecom Group, Inc.

Dear ICG Customer:

We regret to inform you that ICG can no longer provide your telecommunications services at locations in Massachusetts. Telecommunications services in Maryland, New Jersey, New York, Utah, Virginia, and Washington will also be affected; however, a separate notice will be sent to you regarding your service, if any, in those states. This notice does not affect telecommunications services that you may receive in other states. Accordingly, ICG must discontinue certain voice and data services, including local exchange, domestic and international long distance, VoicePipe™, iConverge™, Primary Rate Interface (PRI), Dedicated Internet Access (DIA), collocation, special access/private line service provided over ICG's own facilities, and/or high-speed data transmission services that you receive in the service location(s) listed above. This discontinuance will not affect Signaling System 7 (SS7) or resold special access/private line services. Subject to regulatory approval, the anticipated date for the discontinuance of your service is August 31, 2004.

**YOUR ACTION IS REQUIRED! YOU MUST SELECT A NEW TELECOMMUNICATIONS SERVICE PROVIDER AS QUICKLY AS POSSIBLE BUT NO LATER THAN AUGUST 11, 2004 OR YOU MAY LOSE TELECOMMUNICATIONS SERVICES, INCLUDING LOCAL SERVICE.**

You must elect a new service provider as soon as possible to avoid any interruption of service. Please do not delay in arranging for a new service provider, as some providers may require several weeks to install or connect new services. To help avoid service disruption, please check carefully that all affected voice and data service types you currently have with ICG (including local exchange, domestic and international long distance, VoicePipe™, iConverge™, Primary Rate Interface (PRI), Dedicated Internet Access (DIA), collocation, facilities-based special access/private line service, and/or high-speed data transmission services) are moved to your new service provider. Once you have chosen and contacted your new provider, ICG will work with the provider you have selected to assist in the transition of your service, including, as necessary, providing your network information. Generally, you can find a list of most local telephone service providers in your local telephone directory. Other types of service providers may also be in your local telephone directory. After selecting a new local telephone service provider, you should also contact your current long distance service provider, if that provider is not ICG, to ensure that your current long distance calling plan is not changed as a result of your change in your local service.

Please be aware that you are responsible for paying all bills rendered for services provided by ICG up to and including those provided during the transition. You may be subject to suspension or termination of your phone service in accordance with your state Commission's rules if you fail to pay your telephone bills. Any deposits or credits associated with your account will be applied to your final bill, with any remaining balance returned to you.

The Federal Communications Commission ("FCC") permits customers to object to discontinuance of their service by a telecommunications provider. As provided in the FCC's rule 47 CFR 63.71:

*The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be*

*unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, D.C. 20554, referencing the Section 63.71 Application of ICG Telecom Group, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.*

ICG appreciates the opportunity we have had to serve you. We are committed to making your service transition as smooth as possible. If you have any further questions regarding the discontinuance of our services, please contact us at (888) 424-4440 or (303) 414-5150.

Sincerely yours,

Scott Mull  
Director  
Customer Service



**EXHIBIT D**

**Sample *Corrected* Discontinuance Notice Letter**

**(July 22<sup>nd</sup> Corrected Notices)**

**(New Jersey, New York, Utah Virginia, and Washington Customers)**

ICG Telecom Group, Inc.  
161 Inverness Drive West  
Englewood, CO 80112

**CORRECTED NOTICE OF COMMUNICATION SERVICES DISCONTINUANCE**  
**DO NOT DISREGARD THIS NOTICE**  
**YOU MUST CHOOSE A NEW TELECOMMUNICATIONS SERVICE**  
**PROVIDER BY AUGUST 1, 2004**

June 25, 2004 (Corrected July 22, 2004)

«CUSTOMER\_NAME»  
Attn: «Contact\_Name»  
«ADDRESS»  
«CITY», «STATE» «ZIP»

RE: Telecommunications Services provided by ICG Telecom Group, Inc. and/or ICG Telecom Group of Virginia, Inc.

Dear ICG Customer:

We regret to inform you that ICG can no longer provide your telecommunications services in Maryland, New Jersey, New York, Utah, Virginia, and Washington. Telecommunications services in Massachusetts will also be affected; however, a separate notice will be sent to you regarding your service, if any, in those locations. This notice does not affect other services you receive from ICG in other states. Accordingly, ICG must discontinue certain voice and data services, including local exchange, domestic and international long distance, VoicePipe™, iConverge™, Primary Rate Interface (PRI), Dedicated Internet Access (DIA), collocation, special access/private line service provided over ICG's own facilities, and/or high-speed data transmission services that you receive in the service location(s) listed above. This discontinuance will not affect Signaling System 7 (SS7) or resold special access/private line services. Subject to regulatory approval, the anticipated date for the discontinuance of your service is August 31, 2004.

**YOUR ACTION IS REQUIRED! YOU MUST SELECT A NEW TELECOMMUNICATIONS SERVICE PROVIDER AS QUICKLY AS POSSIBLE BUT NO LATER THAN AUGUST 1, 2004, OR YOU MAY LOSE TELECOMMUNICATIONS SERVICES, INCLUDING LOCAL SERVICE.**

You must elect a new service provider as soon as possible to avoid any interruption of service. Please do not delay in arranging for a new service provider, as some providers may require several weeks to install or connect new services. To help avoid service disruption, please check carefully that all affected voice and data service types you currently have with ICG (including local exchange, domestic and international long distance, VoicePipe™, iConverge™, Primary Rate Interface (PRI), Dedicated Internet Access (DIA), collocation, facilities-based special access/private line service, and/or high-speed data transmission services) are moved to your new service provider. Once you have chosen and contacted your new provider, ICG will work with the provider you have selected to assist in the transition of your service, including, as necessary, providing your network information. Generally, you can find a list of most local telephone service providers in your local telephone directory. Other types of service providers may also be in your local telephone directory. After selecting a new local telephone service provider, you should also contact your current long distance service provider, if that provider is not ICG, to ensure that your current long distance calling plan is not changed as a result of your change in your local service.

Please be aware that you are responsible for paying all bills rendered for services provided to you by ICG up to and including those provided during the transition. You may be subject to suspension or termination of your phone service in accordance with your state Commission's rules if you fail to pay your telephone bills. Any deposits or credits associated with your account will be applied to your final bill, with any remaining balance returned to you.

The Federal Communications Commission ("FCC") permits customers to object to discontinuance of their service by a telecommunications provider. As provided in the FCC's rule 47 CFR 63.71:

*The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is*

*otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, D.C. 20554, referencing the Section 63.71 Application of ICG Telecom Group, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.*

ICG appreciates the opportunity we have had to serve you. We are committed to making your service transition as smooth as possible. If you have any further questions regarding the discontinuance of our services, please contact us at (888) 424-4440 or (303) 414-5150.

Sincerely yours,

Scott Mull  
Director  
Customer Service

**EXHIBIT E**

**Sample Illinois Discontinuance Notice Letter**

ICG Telecom Group, Inc.  
161 Inverness Drive West  
Englewood, CO 80112

**NOTICE OF COMMUNICATION SERVICES DISCONTINUANCE**  
**DO NOT DISREGARD THIS NOTICE**  
**YOU MUST CHOOSE A NEW TELECOMMUNICATIONS SERVICE**  
**PROVIDER BY AUGUST 15, 2004**

July 27, 2004

«CUSTOMER\_NAME»  
Attn: «Contact\_»  
«ADDRESS»  
«CITY», «STATE» «ZIP»

RE: Telecommunications Services provided by ICG Telecom Group, Inc.

Dear ICG Customer:

We regret to inform you that ICG can no longer provide your telecommunications services in Illinois. Telecommunications services in Maryland, District of Columbia (D.C), Massachusetts, New Jersey, New York, Utah, Virginia, and Washington will also be affected; however, a separate notice was sent to you regarding your service, if any, in those locations. This notice does not affect other services you receive from ICG in other states. Accordingly, ICG must discontinue certain voice and data services, including local exchange, domestic and international long distance, VoicePipe™, iConverge™, Primary Rate Interface (PRI), Dedicated Internet Access (DIA), collocation, special access/private line service provided over ICG's own facilities, and/or high-speed data transmission services that you receive in the service location(s) listed above. This discontinuance will not affect Signaling System 7 (SS7) or resold special access/private line services. Subject to regulatory approval, the anticipated date for the discontinuance services is August 31, 2004.

**YOUR ACTION IS REQUIRED! YOU MUST SELECT A NEW TELECOMMUNICATIONS SERVICE PROVIDER AS QUICKLY AS POSSIBLE BUT NO LATER THAN AUGUST 15, 2004, OR YOU MAY LOSE TELECOMMUNICATIONS SERVICES, INCLUDING LOCAL SERVICE.**

You must elect a new service provider as soon as possible to avoid any interruption of service. Please do not delay in arranging for a new service provider, as some providers may require several weeks to install or connect new services. To help avoid service disruption, please check carefully that all affected voice and data service types you currently have with ICG (including local exchange, domestic and international long distance, VoicePipe™, iConverge™, Primary Rate Interface (PRI), Dedicated Internet Access (DIA), collocation, facilities-based special access/private line service, and/or high-speed data transmission services) are moved to your new service provider. Once you have chosen and contacted your new provider, ICG will work with the provider you have selected to assist in the transition of your service, including, as necessary, providing your network information. Generally, you can find a list of most local telephone service providers in your local telephone directory. Other types of service providers may also be in your local telephone directory. After selecting a new local telephone service provider, you should also contact your current long distance service provider, if that provider is not ICG, to ensure that your current long distance calling plan is not changed as a result of your change in your local service.

Please be aware that you are responsible for paying all bills rendered for services provided to you by ICG up to and including those provided during the transition. You may be subject to suspension or termination of your phone service in accordance with your state Commission's rules if you fail to pay your telephone bills. Any deposits or credits associated with your account will be applied to your final bill, with any remaining balance returned to you.

The Federal Communications Commission ("FCC") permits customers to object to discontinuance of their service by a telecommunications provider. As provided in the FCC's rule 47 CFR 63.71:

*The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, D.C. 20554, referencing the Section 63.71 Application of ICG Telecom Group, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.*

ICG appreciates the opportunity we have had to serve you. We are committed to making your service transition as smooth as possible. If you have any further questions regarding the discontinuance of our services, please contact us at (888) 424-4440 or (303) 414-5150.

Sincerely yours,

Scott Mull  
Director  
Customer Service

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Section 63.71 Application of ICG Telecom Group, Inc. and ICG Telecom Group of Virginia, Inc. was served this 28<sup>th</sup> day of July, 2004, by mailing true and correct copies thereof, postage prepaid, to the following persons at the addresses appearing on the attached Service List.



Brett P. Ferenczak

## SERVICE LIST

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
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